

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

RONALD IRVIN, a/k/a
RONALD WADE-BEY,

Plaintiff,

v.

NORMAN FLUERY, et al.,

Defendants.

Case No. 2:07-cv-117

Hon. Wendell A. Miles

ORDER AND JUDGMENT
APPROVING REPORT AND RECOMMENDATION

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties, and no objection has been made thereto within the time required by law.

THEREFORE, IT IS ORDERED that:

1. The Report and Recommendation of the Magistrate Judge (Docket #14) is approved and adopted as the opinion of the Court.
2. Plaintiff's complaint is dismissed for failure to state a claim.. The dismissal of this action will count as a strike for purposes of 28 U.S.C. § 1915(g).
3. The Court can discern no good-faith basis for an appeal. Accordingly, an appeal of this action would not be taken in good faith.

Dated: October 16, 2007

/s/ Wendell A. Miles
Wendell A. Miles
Senior U.S. District Judge